FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 499 OF 2001
ALONGWITH
WRIT PETITION NOS. 517/01 & 861/01

Office Notes, Office Memorada orders or directions and Registrar's orders.	Court's or Judge's Orders.
	Mrs. S.V. Bharucha with R.C.Master for the petitioner. Shri S.D.Dharmadhikari for Respdt. in all matters.

CORAM; V.G.PALSHIKAR &
V.M.KANADE, JJ.

DTAED: 11TH JULY, 2006.

P.C.

1. By these petitions the Union of India have challenged the order passed by the Central Administrative Tribunal, directing preparation of a common seniority list of employees employed in various Ordinance factory. That order was challenged in these petitions basically on the ground that taking into consideration the nature and situation of each Ordinance factory, preparation of

common seniority list cannot be directed. Reliance was placed on judgments given by other tribunals which were not considered by the tribunal at Bombay. However, during the pendency of this petition, the respondents in all petitions have factually being promoted on the basis of their independent seniority list as per 1989 rules. Therefore, the question, as to whether such order as is impugned can be made or not becomes academic. Taking into consideration the fact that the question stands decided by other tribunals in favour of the Union of India, we dispose of these petitions holding that such question if it arises again before any of the tribunal Bench, can be agitated with the help of already decided original application. Petitions are accordingly disposed of.

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